



# Journal of the Senate

State of Indiana

115th General Assembly

First Regular Session

Twenty-third Meeting Day

Tuesday Morning

February 27, 2007

The Senate convened at 10:45 a.m., with the President Pro Tempore of the Senate, David C. Long, in the Chair.

Prayer was offered by Senator Patricia L. Miller.

The Pledge of Allegiance to the Flag was led by Senator Long.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker	Lubbers
Boots	Meeks
Bowser <input checked="" type="checkbox"/>	Merritt
Bray	Miller
Breaux	Mishler
Broden	Mrvan
Deig	Nugent
Delph	Paul
Dillon	Riegsecker
Drozda	Rogers
Errington	Simpson
Ford	Sipes <input checked="" type="checkbox"/>
Gard	Skinner
Heinold	Smith
Hershman	Steele
Howard	Tallian
Hume	Walker
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss <input checked="" type="checkbox"/>
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 186: present 47; excused 3. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

**HB 1009** — Kenley, Lanane (Rules and Legislative Procedure)

A BILL FOR AN ACT concerning the Indiana Code.

**HB 1033** — Becker (Commerce, Public Policy & Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**HB 1046** — Kruse (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**HB 1051** — Wyss, Hume (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1065** — Kenley, Steele (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1085** — Nugent, Skinner (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1088** — Skinner, Lanane (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1100** — Merritt, R. Young (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1115** — Jackman, Sipes (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

**HB 1116** — Landske, Rogers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1127** — R. Young, Broden (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1128** — Becker, R. Young (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**HB 1140** — Wyss, Rogers (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT concerning utilities and transportation.

**HB 1157** — Kruse, Tallian, Mrvan (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1166** — Lawson, Sipes (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation .

**HB 1171** — Heinold, Weatherwax (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1192** — Gard (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1193** — Miller, Breaux (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1204** — Delph (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**HB 1211** — Boots, Broden (Local Government and Elections)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1214** — Bray (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**HB 1237** — Wyss, Rogers (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1241** — Miller, Simpson, Becker (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1262** — Simpson (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1269** — Jackman, Lawson (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1287** — Bray, Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1299** — Jackman, Weatherwax, Lewis (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1305** — Lewis, Nugent (Commerce, Public Policy & Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations and to make an appropriation.

**HB 1306** — M. Young, Sipes, Simpson (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**HB 1312** — Lawson, Lanane (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1322** — Jackman, Hume, Waterman (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1357** — Wyss, Simpson (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1358** — Nugent, R. Young, Waterman, Deig (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1373** — Steele, Rogers, Landske, Simpson (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1376** — Becker, Breaux, Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1381** — Bray (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1384** — Bray, Mrvan, Landske (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT concerning criminal law and procedure.

**HB 1387** — Steele (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1391** — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1456** — Becker, Hume, Alting, Sipes (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1510** — Riegsecker, Simpson (Commerce, Public Policy & Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

**HB 1557** — Paul (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

**HB 1608** — Hershman, Deig (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1623** — Delph, Simpson (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1633** — Mishler (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1654** — Steele, Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1659** — Jackman, Lanane, Becker, Simpson (Homeland Security, Transportation & Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1663** — Miller, Breaux (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1664** — Wyss, Broden (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1710** — Paul, Lanane (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning commercial Law.

**HB 1762** — Jackman, Lewis (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1763** — Merritt (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1778** — Lubbers, Dillon, Rogers (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1804** — Landske, Broden (Local Government and Elections)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1811** — Ford, Lubbers, Simpson (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1818** — Merritt, Rogers, Smith, Breaux, Howard (Commerce, Public Policy & Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**REPORTS FROM COMMITTEES**

**COMMITTEE REPORT**

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed Senate Bill 339.

Page 6, line 22, after "dealer's" insert "**permit**".

(Reference is to ESB 339 as reprinted February 26, 2007.)

LONG, Chair

Report adopted.

**REPORT OF THE SENATE  
COMMITTEE ON ETHICS**

Madam President: Pursuant to Senate Rule 94, the Senate Committee on Ethics met on February 27, 2007, to render an advisory opinion with regard to the question raised by Senator Boots about his participation in the upcoming vote on Engrossed Senate Bill 339 due to a potential conflict of interest.

The Senate Committee on Ethics has considered the facts presented by Senator Boots and hereby recommends that Senator Boots be excused from participation in all votes pertaining to Engrossed Senate Bill 339 because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 5-0.

DILLON

Report adopted.

**REPORT OF THE PRESIDENT  
PRO TEMPORE**

Madam President: I hereby report that, pursuant to Senate Rule 73, I have received from Senator Wyss, author of Senate Bill 435, permission for Senator R. Young, second author, to call this bill for action.

LONG

Report adopted.

**REPORT OF THE PRESIDENT  
PRO TEMPORE**

Madam President: I hereby report that, pursuant to Senate Rule 73, I have received from Senator Wyss, author of Senate Bill 51, permission for Senator Broden, second author, to call this bill for action.

LONG

Report adopted.

**REPORT OF THE PRESIDENT  
PRO TEMPORE**

Madam President: I hereby report that, pursuant to Senate Rule 73, I have received from Senator Wyss, author of Senate

Bill 68, permission for Senator Paul, second author, to call this bill for action.

LONG

Report adopted.

## REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, pursuant to Senate Rule 73, I have received from Senator Wyss, author of Senate Bill 109, permission for Senator Miller, second author, to call this bill for action.

LONG

Report adopted.

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 44

Senate Concurrent Resolution 44, introduced by Senators Steele and Nugent:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to name U.S. 50 from Bedford to Brownstown as the "Russell "Bob" Harrell Memorial Highway," for his years of service to the Indiana Department of Highways.

*Whereas, Russell "Bob" Harrell was born on a farm in Jefferson County, Indiana in 1908. He graduated Dupont High School, and attended Hanover College and Purdue University;*

*Whereas, Mr. Harrell began working for the Highway Department in 1924, carrying water and breaking rock, and has almost 75 years of active experience in highway and bridge engineering;*

*Whereas, In the course of Mr. Harrell's long and distinguished career, he served as a project engineer for the construction of U.S. 50 between Seymour and Brownstown. In addition, he was twice a district engineer of the Seymour District of the State Highway Department.*

*Whereas, Upon assignment to the Indiana State Highway Central Office, Mr. Harrell served as assistant superintendant of maintenance, assistant chief engineer of operations, and director of the Indiana State Highway Department. In this capacity, Mr. Harrell was active in the construction of Indiana's interstate highway system;*

*Whereas, In 1974, after 45 years of dedicated service, Mr. Harrell retired from the Indiana State Highway Department and joined Sieco/Strand as a director of project development. He has since helped dozens of communities develop highway, bridge, road and traffic engineering projects;*

*Whereas, Mr. Harrell has twice been honored as a recipient of the Sagamore of the Wabash Award in 1969 and 1973, as well as*

*a Distinguished Hoosier in 1970, and was an Indiana's Green Thumb recipient in 1999;*

*Whereas, Mr. Harrell and his wife Hazel have lived in many areas of Indiana, but moved to Seymour, Indiana in 1945 and have resided there ever since; and*

*Whereas, Russell "Bob" Harrell is known throughout the Hoosier State and his many years of dedicated professional service deserve recognition: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes Russell "Bob" Harrell for his many years of professional service to the Indiana Department of Highways, and his continuing service to the communities of Indiana after his retirement.

SECTION 2. That the Indiana General Assembly urges the Indiana Department of Transportation to name U.S. 50 from Bedford to Brownstown as the "Russell "Bob" Harrell Memorial Highway."

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Russell "Bob" and Hazel Harrell, and his son Jack Beem.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Koch and Goodin.

### House Concurrent Resolution 17

House Concurrent Resolution 17, sponsored by Senators Howard and Lubbers:

A CONCURRENT RESOLUTION congratulating Jessica Heidelberg on the occasion of her receipt of the Milken National Educator Award.

*Whereas, The Milken National Educator Award is the nation's largest recognition program for teachers;*

*Whereas, This award was developed by the Milken Family Foundation to reward, retain, and attract the highest quality kindergarten through 12th grade teachers to the teaching profession;*

*Whereas, Forty-two states participate in the Milken National Educator Awards;*

*Whereas, Milken educators are selected by an independent blue ribbon committee appointed by the U.S. Department of Education from each of the 42 participating states;*

*Whereas, This selection committee recommends the candidates directly to the Milken Family Foundation; there is no nomination or application procedure involved in this award;*

*Whereas, To be nominated by the selection committee, the candidates must meet the following criteria: possess exceptional educational talent as evidenced by outstanding instructional practices in the classroom, school, and profession; have outstanding accomplishments and have strong long-range potential for professional and policy leadership; and have an engaging and inspiring presence that motivates and impacts students, colleagues, and community members;*

*Whereas, Jessica Heidelberg fulfills all these requirements;*

*Whereas, Jessica Heidelberg, a first grade teacher and literacy specialist at Harcourt Elementary School in Washington Township, received her Bachelor's in Education and Master's in Library Science from Indiana University;*

*Whereas, As a bi-literacy teacher for the district, Jessica Heidelberg spends half her time teaching in the classroom and half serving as a literacy coach for other teachers;*

*Whereas, The Milken National Educator Award publicly recognizes elementary and secondary school educators who are furthering excellence; Jessica has chosen publishing books as her way of furthering excellence in her classroom;*

*Whereas, Students in Jessica's class write and illustrate books, sometimes using blank books and hand writing the pages and other times using computers to publish pieces and bind them together;*

*Whereas, Jessica feels that children "have a lot to say", and publishing books provides them with an excellent way to express themselves; it always allows them to practice reading since each child is asked to read his or her own writing; and*

*Whereas, Outstanding teachers such as Jessica Heidelberg form the cornerstone of our educational system and should be recognized for the contributions they make toward improving the lives of countless generations of Hoosiers: Therefore,*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates Jessica Heidelberg for winning the Milken National Educator Award and thanks her for all her efforts on behalf of the school children of the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Jessica Heidelberg, Principal Cateena Johnson, and Superintendent Dr. James Mervilde.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

## House Concurrent Resolution 24

House Concurrent Resolution 24, sponsored by Senator Nugent:

A CONCURRENT RESOLUTION recognizing the Knights of Columbus Monsignor William J. Kreis Council 1231 on the occasion of the 100th anniversary of its founding.

*Whereas, May 19, 2007, marks the 100th anniversary of the founding of the Knights of Columbus Monsignor William J. Kreis Council 1231;*

*Whereas, The Knights of Columbus began when Father Michael J. McGivney called a small group of men together in the basement of St. Mary's Church on Hillhouse Avenue in New Haven, Connecticut;*

*Whereas, The original founders of the Knights of Columbus "sought strength in solidarity, and security through unity of purpose and devotion to a holy cause: they vowed to be defenders of their country, their families and their faith";*

*Whereas, Father McGivney also envisioned that the Knights of Columbus would offer a life insurance program to provide for the widows and orphans of deceased members;*

*Whereas, Members of the Knights of Columbus Monsignor William J. Kreis Council 1231 are active members in their community, staunch supporters of their church and faith, and dedicated to protecting and enhancing their family life; and*

*Whereas, For hundreds of years, the members of the Knights of Columbus have worked to bring the joy of giving to others to its members; the Knights of Columbus Monsignor William J. Kreis Council 1231 continues the work of Father McGivney and continually strives to make their community a better place in which to live: Therefore,*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Knights of Columbus Monsignor William J. Kreis Council 1231 on the occasion of the 100th anniversary of its founding and expresses our gratitude for the members' good works and dedication to their faith, their church, their family, and their community.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Monsignor Joseph Kiser 100th Anniversary Committee.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

## House Concurrent Resolution 25

House Concurrent Resolution 25, sponsored by Senator Rogers:

A CONCURRENT RESOLUTION urging efforts to provide meaningful assistance to help identify and enroll children who qualify for Medicaid or the Indiana Children Health Insurance Program.

*Whereas, The Legislature of the State of Indiana regards the health of our children to be of paramount importance to families in our State; and*

*Whereas, The Legislature of the State of Indiana regards poor child health as a threat to the educational achievement, social and psychological well being of the children of our State; and*

*Whereas, The Legislature of the State of Indiana considers protecting the health of our children to be essential to the well-being of our youngest citizens and the quality of life in our State; and*

*Whereas, The Legislature considers the Indiana State SCHIP Program, which has enrolled Indiana's uninsured children since its inception, to be an integral part of the arrangements for health benefits for the children of the State of Indiana; and*

*Whereas, The Legislature recognizes the value of the Indiana State SCHIP Program in preserving child wellness, preventing and treating childhood disease, improving health outcomes, and reducing overall health costs; and*

*Whereas, The Legislature of the State of Indiana considers the federal funding available for the Indiana State SCHIP Program to be indispensable to providing health benefits for children of modest means: Therefore*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Legislature urges the Members of Indiana's delegation to the United States Congress to ensure that the Congress timely reauthorizes the State Children Health Insurance Program (SCHIP) to assure federal funding for the Indiana State SCHIP Program;

SECTION 2. That the Legislature urges the Governor to use his best efforts to work with the Indiana delegation to ensure that SCHIP is reauthorized in a timely manner;

SECTION 3. That the Legislature proclaims that all components of State government should work together with educators, health care providers, social workers, and parents to ensure that all available public and private assistance for providing health benefits to uninsured children in the State be used to the maximum extent possible; and

SECTION 4. That the Legislature urges the Governor to use his efforts to provide meaningful assistance to help identify and enroll children who qualify for Medicaid or the Indiana State SCHIP Program.

The resolution was read in full and adopted by voice vote. The

Chair instructed the Secretary to inform the House of the passage of the resolution.

## JOINT RESOLUTIONS ON THIRD READING

### Engrossed Senate Joint Resolution 2

Senator Miller called up Engrossed Senate Joint Resolution 2 for third reading:

A JOINT RESOLUTION proposing an amendment to Article 6 of the Constitution of the State of Indiana concerning local government.

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 6, SECTION 4 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 4. (a) No person shall be elected, or appointed, as a county officer, who is not an elector of the county and who has not been an inhabitant of the county one year next preceding ~~his~~ **the person's** election or appointment.

**(b) The General Assembly may by law prescribe additional qualifications for the office of Coroner.**

The joint resolution was read in full and placed upon its passage. The question was, Shall the joint resolution pass?

Roll Call 187: yeas 20, nays 27. The joint resolution was declared defeated.

Senator Long yielded the gavel to the President of the Senate.

## ENGROSSED SENATE BILLS ON THIRD READING

### Engrossed Senate Bill 577

Senator Merritt called up Engrossed Senate Bill 577 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 188: yeas 27, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bauer and Espich.

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 45

Senate Concurrent Resolution 45, introduced by Senators Rogers

and Steele:

A CONCURRENT RESOLUTION urging the Legislative Council to assign and direct an interim or statutory committee to study issues pertaining to the imposition of the death penalty on mentally ill individuals.

*Whereas, Mental illness does not preclude the imposition of the death penalty in the State of Indiana;*

*Whereas, Various aspects of the death penalty continue to evoke constitutional scrutiny in the highest courts of this state and country;*

*Whereas, The issue of mental illness and the death penalty is an increasingly active topic of discussion in legislatures and courts throughout the United States;*

*Whereas, Senator Anita Bowser has been a tireless champion of civil liberties and the rights of all our citizens;*

*Whereas, Senator Anita Bowser has been a staunch and tireless opponent of the death penalty;*

*Whereas, Senator Bowser has authored legislation which successfully precluded the imposition of the death penalty on mentally retarded persons;*

*Whereas, Senator Bowser has also authored legislation which successfully precluded the imposition of the death penalty on individuals less than 18 years of age;*

*Whereas, In recognition of Senator Bowser's efforts on these issues, the legislature should study the issues surrounding the imposition of the death penalty on mentally ill individuals: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana State Senate hereby urges the Legislative Council to assign and direct an interim or statutory committee to study issues pertaining to the imposition of the death penalty on mentally ill individuals.

SECTION 2. That the committee, if assigned by Legislative Council, should operate under the direction of the Council and be known as the Bowser Commission.

SECTION 3. The Secretary of the Senate is directed to transmit a copy of this resolution to the Legislative Council.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Pelath and Klinker.

#### SENATE MOTION

Madam President: I move that Senators Alting, Becker, Boots, Bowser, Bray, Breaux, Broden, Deig, Delph, Dillon, Drozda,

Errington, Ford, Gard, Heinold, Hershman, Howard, Hume, Jackman, Kenley, Kruse, Lanane, Landske, Lawson, Lewis, Long, Lubbers, Meeks, Merritt, Miller, Mishler, Mrvan, Nugent, Paul, Riegsecker, Simpson, Sipes, Skinner, Smith, Tallian, Walker, Waltz, Waterman, Weatherwax, Wyss, M. Young, R. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 45.

ROGERS

Motion prevailed.

### ENGROSSED SENATE BILLS ON THIRD READING

#### Engrossed Senate Bill 377

Senator Becker called up Engrossed Senate Bill 377 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 189: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Tyler, Niezgodski, and Buck.

#### Engrossed Senate Bill 233

Senator Zakas called up Engrossed Senate Bill 233 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 190: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Grubb and Foley.

#### Engrossed Senate Bill 2

Senator Drozda called up Engrossed Senate Bill 2 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 191: yeas 44, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lawson, Kuzman, and Foley.

**Engrossed Senate Bill 108**

Senator Lanane called up Engrossed Senate Bill 108 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 192: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lawson and Elrod.

**Engrossed Senate Bill 445**

Senator Broden called up Engrossed Senate Bill 445 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 193: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Niezgodski and Murphy.

*Senator Sipes, who had been excused, was present.*

**Engrossed Senate Bill 371**

Senator Simpson called up Engrossed Senate Bill 371 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 194: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Tyler and Cheney.

**Engrossed Senate Bill 335**

Senator Riegsecker called up Engrossed Senate Bill 335 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 195: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Welch, T. Brown, and C. Brown.

**Engrossed Senate Bill 401**

Senator Dillon called up Engrossed Senate Bill 401 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 196: yeas 39, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kuzman, Frizzell, Bauer, and Bosma.

**Engrossed Senate Bill 553**

Senator Drozda called up Engrossed Senate Bill 553 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 197: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives V. Smith and Hinkle.

**Engrossed Senate Bill 339**

Senator Riegsecker called up Engrossed Senate Bill 339 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 198: yeas 37, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Van Haaften and Stutzman.

**Engrossed Senate Bill 211**

Senator Ford called up Engrossed Senate Bill 211 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?



Roll Call 199: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Crawford.

2:05 p.m.

The Chair declared a recess until the fall of the gavel.

#### Recess

The Senate reconvened at 2:30 p.m., with the President of the Senate in the Chair.

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1012, 1067, 1177, 1221, 1389, and 1693 and the same are herewith transmitted to the Senate for further action.

CLINTON MCKAY  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1509, 1563, and 1566 and the same are herewith transmitted to the Senate for further action.

CLINTON MCKAY  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1288 and 1344 and the same are herewith transmitted to the Senate for further action.

CLINTON MCKAY  
Principal Clerk of the House

#### SENATE MOTION

Madam President: I move that Senator Steele be added as coauthor of Senate Bill 445.

BRODEN

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Engrossed Senate Bill 339.

RIEGSECKER

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator M. Young be added as coauthor of Engrossed Senate Bill 233.

ZAKAS

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Engrossed Senate Bill 199.

MILLER

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Howard be added as coauthor of Engrossed Senate Bill 78.

M. YOUNG

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Engrossed Senate Bill 323.

MILLER

Motion prevailed.

### ENGROSSED SENATE BILLS ON THIRD READING

#### Engrossed Senate Bill 431

Senator Gard called up Engrossed Senate Bill 431 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 200: yeas 33, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Pflum, Friend, Goodin, and Gutwein.

#### Engrossed Senate Bill 269

Senator Heinold called up Engrossed Senate Bill 269 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 201: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Dembowski and Dermody.

#### **Engrossed Senate Bill 525**

Senator Hershman called up Engrossed Senate Bill 525 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 202: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Stevenson and Lutz.

*Pursuant to prior authorization from Senator Wyss, Senator Miller called up Engrossed Senate Bill 109 for Third Reading.*

#### **Engrossed Senate Bill 109**

Senator Miller called up Engrossed Senate Bill 109 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 203: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives C. Brown and T. Brown.

#### **Engrossed Senate Bill 529**

Senator Jackman called up Engrossed Senate Bill 529 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 204: yeas 38, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bischoff and Duncan.

#### **Engrossed Senate Bill 501**

Senator Kenley called up Engrossed Senate Bill 501 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 205: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives C. Brown, T. Brown, Bauer, and Bosma.

#### **Engrossed Senate Bill 530**

Senator Kruse called up Engrossed Senate Bill 530 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 206: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Moses and Wolkins.

#### **Engrossed Senate Bill 78**

Senator M. Young called up Engrossed Senate Bill 78 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 207: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kuzman, Gutwein, Herrell, and McClain.

#### **Engrossed Senate Bill 326**

Senator Landske called up Engrossed Senate Bill 326 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 208: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Torr and Bischoff.

#### **Engrossed Senate Bill 150**

Senator Lawson called up Engrossed Senate Bill 150 for third

reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 209: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative C. Brown.

#### **Engrossed Senate Bill 90**

Senator M. Young called up Engrossed Senate Bill 90 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 210: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives C. Brown and Frizzell.

*Pursuant to prior authorization from Senator Wyss, Senator Paul called up Engrossed Senate Bill 68 for Third Reading.*

#### **Engrossed Senate Bill 68**

Senator Paul called up Engrossed Senate Bill 68 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 211: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Dodge, Reske, and Grubb.

#### **Engrossed Senate Bill 139**

Senator Lubbers called up Engrossed Senate Bill 139 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 212: yeas 37, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the

bill. House sponsors: Representatives Pelath and Frizzell.

#### **Engrossed Senate Bill 96**

Senator Meeks called up Engrossed Senate Bill 96 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 213: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Niezgodski and Wolkins.

#### **Engrossed Senate Bill 542**

Senator Merritt called up Engrossed Senate Bill 542 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 214: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Austin and Duncan.

#### **Engrossed Senate Bill 199**

Senator Miller called up Engrossed Senate Bill 199 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 215: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Welch and Foley.

#### **Engrossed Senate Bill 561**

Senator Mishler called up Engrossed Senate Bill 561 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 216: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wolkins.

#### **Engrossed Senate Bill 138**

Senator M. Young called up Engrossed Senate Bill 138 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 217: yeas 35, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Pierce and Richardson.

#### **Engrossed Senate Bill 548**

Senator Lubbers called up Engrossed Senate Bill 548 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 218: yeas 32, nays 16. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Porter and Behning.

#### **Engrossed Senate Bill 448**

Senator Paul called up Engrossed Senate Bill 448 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 219: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Pflum.

#### **Engrossed Senate Bill 336**

Senator Riegsecker called up Engrossed Senate Bill 336 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 220: yeas 44, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Walorski.

#### **Engrossed Senate Bill 320**

Senator Miller called up Engrossed Senate Bill 320 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 221: yeas 35, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Klinker and Frizzell.

#### **Engrossed Senate Bill 372**

Senator Simpson called up Engrossed Senate Bill 372 for third reading:

A BILL FOR AN ACT concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 222: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative C. Brown.

#### **Engrossed Senate Bill 318**

Senator Miller called up Engrossed Senate Bill 318 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 223: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives C. Brown and T. Brown.

#### **Engrossed Senate Bill 520**

Senator M. Young called up Engrossed Senate Bill 520 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 224: yeas 34, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lawson, Torr, and Koch.

#### **Engrossed Senate Bill 205**

Senator Gard called up Engrossed Senate Bill 205 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 225: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Dvorak and Wolkins.

#### **Engrossed Senate Bill 508**

Senator Steele called up Engrossed Senate Bill 508 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 226: yeas 30, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Hoy and Dembowski.

#### **Engrossed Senate Bill 261**

Senator Heinold called up Engrossed Senate Bill 261 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 227: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Dembowski and Friend.

#### **Engrossed Senate Bill 329**

Senator Lawson called up Engrossed Senate Bill 329 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 228: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Welch and Bell.

#### **Engrossed Senate Bill 358**

Senator Heinold called up Engrossed Senate Bill 358 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 229: yeas 38, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Moses and Soliday.

#### **Engrossed Senate Bill 396**

Senator Weatherwax called up Engrossed Senate Bill 396 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 230: yeas 44, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lawson, McClain, and Koch.

#### **Engrossed Senate Bill 88**

Senator Weatherwax called up Engrossed Senate Bill 88 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 231: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Porter, Hinkle, Austin, and Buell.

*Pursuant to prior authorization from Senator Wyss, Senator R. Young called up Engrossed Senate Bill 435 for Third Reading.*

#### **Engrossed Senate Bill 435**

Senator R. Young called up Engrossed Senate Bill 435 for third

reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 232: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lawson and Dodge.

#### **Engrossed Senate Bill 537**

Senator Riegsecker called up Engrossed Senate Bill 537 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 233: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Cheney and Walorski.

#### **Engrossed Senate Bill 232**

Senator Zakas called up Engrossed Senate Bill 232 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 234: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Pierce and Foley.

#### **Engrossed Senate Bill 207**

Senator Dillon called up Engrossed Senate Bill 207 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 235: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Welch and T. Brown.

#### **Engrossed Senate Bill 403**

Senator Dillon called up Engrossed Senate Bill 403 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 236: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bardon and Walorski.

#### **Engrossed Senate Bill 173**

Senator Jackman called up Engrossed Senate Bill 173 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 237: yeas 35, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Hoy and Foley.

#### **Engrossed Senate Bill 194**

Senator Miller called up Engrossed Senate Bill 194 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 238: yeas 37, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Cheatham, Welch, T. Harris, and Bischoff.

#### **Engrossed Senate Bill 400**

Senator Ford called up Engrossed Senate Bill 400 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning economic development.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 239: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed

the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Mays and Borrer.

*Pursuant to prior authorization from Senator Wyss, Senator Broden called up Engrossed Senate Bill 51 for Third Reading.*

#### **Engrossed Senate Bill 51**

Senator Broden called up Engrossed Senate Bill 51 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 240: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lawson and Foley.

#### **Engrossed Senate Bill 562**

Senator Mishler called up Engrossed Senate Bill 562 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 241: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Summers.

#### **Engrossed Senate Bill 573**

Senator Steele called up Engrossed Senate Bill 573 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 242: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Hoy, Dembowski, and Foley.

#### **Engrossed Senate Bill 208**

Senator Dillon called up Engrossed Senate Bill 208 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 243: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives C. Brown and Frizzell.

#### **Engrossed Senate Bill 323**

Senator Miller called up Engrossed Senate Bill 323 for third reading:

A BILL FOR AN ACT concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 244: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lawson and Murphy.

#### **Engrossed Senate Bill 534**

Senator Lubbers called up Engrossed Senate Bill 534 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 245: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kuzman and Frizzell.

#### **Engrossed Senate Bill 556**

Senator Kruse called up Engrossed Senate Bill 556 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 246: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kuzman, Buell, and Dobis.

#### **Engrossed Senate Bill 103**

Senator Gard called up Engrossed Senate Bill 103 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 247: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Stilwell and Koch.

#### **Engrossed Senate Bill 458**

Senator Dillon called up Engrossed Senate Bill 458 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 248: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Porter and T. Harris.

#### **Engrossed Senate Bill 65**

Senator Hershman called up Engrossed Senate Bill 65 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 249: yeas 33, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Mays and Turner.

#### **Engrossed Senate Bill 174**

Senator Jackman called up Engrossed Senate Bill 174 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 250: yeas 22, nays 24. The bill failed for lack of a constitutional majority.

#### **Engrossed Senate Bill 250**

Senator Jackman called up Engrossed Senate Bill 250 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 251: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Grubb and Gutwein.

#### **Engrossed Senate Bill 557**

Senator Kruse called up Engrossed Senate Bill 557 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 252: yeas 42, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kuzman and Whetstone.

#### **Engrossed Senate Bill 353**

Senator Steele called up Engrossed Senate Bill 353 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 253: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Welch and Koch.

#### **Engrossed Senate Bill 486**

Senator Steele called up Engrossed Senate Bill 486 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 254: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Koch and Grubb.

#### **MESSAGE FROM THE HOUSE**

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1278, 1231, 1256, 1257, 1196, 1351, and 1083 and the same are herewith



transmitted to the Senate for further action.

CLINTON MCKAY  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1019, 1036, 1175, 1280, 1488, 1497, and 1808 and the same are herewith transmitted to the Senate for further action.

CLINTON MCKAY  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Joint Resolution 13 and the same is herewith transmitted for further action.

CLINTON MCKAY  
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Steele be added as coauthor of Engrossed Senate Bill 78.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Engrossed Senate Bill 525.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Nugent be added as coauthor of Engrossed Senate Bill 529.

JACKMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Heinold be added as second author of Engrossed Senate Bill 96.

MEEKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Howard be added as coauthor of Engrossed Senate Bill 199.

MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author of Engrossed Senate Bill 269.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author of Engrossed Senate Bill 261.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Tallian, Boots, Heinold, Walker, and Steele be added as coauthors of Engrossed Senate Bill 88.

WEATHERWAX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Miller be added as third author of Senate Bill 372.

SIMPSON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sipes be added as coauthor of Engrossed Senate Bill 520.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Miller be added as coauthor of Engrossed Senate Bill 403.

DILLON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lewis be added as second author of Engrossed Senate Bill 173.

JACKMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hume be added as coauthor of Engrossed Senate Bill 205.

GARD

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, March 5, 2007.

SENATE MOTION

Madam President: I move that Senator Miller be added as coauthor of Engrossed Senate Bill 103.

LONG

GARD

Motion prevailed.

Motion prevailed.

The Senate adjourned at 7:21 p.m.

MARY C. MENDEL  
Secretary of the Senate

REBECCA S. SKILLMAN  
President of the Senate